

## ***Frequently Asked Questions***

### ***Why does the ISRB consider releasing offenders from prison before they have served the maximum sentence imposed by the Court?***

*Offenders sentenced under the indeterminate sentencing system were given a maximum sentence by the Court at the time of sentencing. However, indeterminate sentencing law specifies that after the offender has been sentenced by the Court to the maximum and sent to prison, the Parole Board (ISRB) would set a minimum sentence: the minimum amount of time an offender would serve before being considered for parole. Indeterminate law allowed all offenders, except those sentenced to Life Without Parole, to be considered for parole before their maximum sentence was over. However, the Board has to find the offender "paroleable", e.g., "rehabilitated and a fit subject for release" (RCW 9.95.100) before parole can be authorized. Under this indeterminate system, offenders have a right to parole review, but they do not have a right to parole itself.*

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### ***How does the Board determine an offender is ready for parole release?***

*A great many factors enter into this decision. Please see: [Factors Considered by the ISRB in Determining Eligibility of Parole.](#)*

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### ***Does the offender have a right to be represented by an attorney during the parole eligibility process? Are attorneys available to inmates at no cost?***

*Offenders may be represented by an attorney at their own cost, or they may seek to be represented by prison services attorneys at no cost.*

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### ***What happens if an offender is paroled, but still has time to serve on sentences for other crimes?***

*If an offender who is being considered for parole has a consecutive sentence to serve on another conviction, he/she will serve that conviction time prior to release.*

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### ***How long will an offender remain on parole?***

*Under current law, if an offender completes three years on parole in the community, without being sent back to prison, he/she will receive a Final Discharge on his/her parole.*

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***If an offender is not paroled as a result of this review, how long will it be before the next review is conducted?***

*The time until the next parolability review will vary from case to case. However, as a general rule, the Board conducts a progress review on each case every two years.*

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***Will an offender be automatically returned to prison if he or she violates a condition of parole? Commits another crime?***

*A return to prison is not automatic. The law requires that a parole violation hearing be conducted by the Board to determine if parole conditions were violated, and if so, if those violations warrant a return to prison, or if other, lesser alternative sanctions would be more effective. If the parolee is convicted of a new crime, the law requires that the Board conduct a hearing to allow the parolee to present any argument against a revocation of parole. This is called an "Akridge" hearing and the Board may consider only whether the conviction for a new crime warrants revocation of the parole.*